



State of New Mexico  
SEVENTH JUDICIAL DISTRICT COURT  
CATRON, SIERRA, SOCORRO, AND TORRANCE COUNTIES

JASON E. JONES  
COURT EXECUTIVE OFFICER

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*December 6, 2019*

MuckRock News Department  
Attn: Lucy Parsons Labs  
MR 82895, 411A Highland Avenue  
Somerville, MA 02144

Sent via email: 82895-71535069@requests.muckrock.com

Re: Inspection of Public Records Act Request received November 22, 2019

Dear Ms. Parson Labs:

The Seventh Judicial District Court is in receipt of your public records request forwarded by the State of New Mexico Administrative Office of the Courts and received by the Seventh Judicial District Court on November 22, 2019. Citing the New Mexico Inspection of Public Records Act (IPRA), NMSA 1978, § 14-2-1 et seq., you have requested the following records:

*Pursuant to the New Mexico Inspection of Public Records Act, I hereby request the following records:*

*For all search warrants, applications for search warrants, cancellations, and authorization for search warrants between 2012 to the date of processing this request, please provide the following points of record for each:*

*Full Name of requester*

*If arrest, arrest ID (eg some cities/states use, "Incident Report")*

*Reason(s) for search warrant (typically either hand-written, or checkboxes)*

*Badge ID (or similar) of requester*

*District/Unit*

*Name of Judge*

*Name of approving officer*

*Whether an Arrest happened*

*Requested location of search warrant*

*Location of search warrant execution*

*Type of search warrant*

*Statements used to justify search warrant*

*Time and date when search warrant was submitted for approval  
Time and date when search warrant was executed  
Whether anything was seized  
Whether anything was found  
License plate of vehicle (if relevant)  
Race of person fr search warrant  
Age of person for search warrant  
State of person for search warrant  
Whether an informant was involved  
Method of contact with informant leading to search warrant (eg, phone call, mail, fax, email, etc)  
Description of person search warrant executed on  
Legal code of violation  
Description of violation  
Date of violation  
If search warrant related to debt: name of company debt is owed to, amount owed  
Whether FBI involved  
ID associated with FBI document (eg, IR #)  
Whether search warrant was cancelled  
Whether contraband found  
Whether narcotics found*

*The records responsive to this request are likely available in a database, or in some query-able format. If your department or agency does not have direct access to the records, please raise to the respective department that can run queries directly (eg, through SQL).*

*Should your agency not have all of the requested records within a single record or document, please provide me the relevant documents that do, even if that requires more than one class of document. Should some of the records be unavailable, please let me know ahead of time so that we can narrow the request accordingly.*

*As the records responsive to this request are imperative for understanding how search warrants are executed, I ask that the public interest of these records be evaluated to the extent that the public's interest outweighs this request's burden. To add, this request is being sent to the largest city of every state and will be collated together to create a comprehensive map of search warrants throughout the US. As such, the records are not only important for understanding search warrants at a local level, but also at a national and state-wide level.*

*Please ensure that provided documents comply with Section 508, as these records will be shared with members of the public who are covered under the ADA. This guide should be helpful: <https://www.hhs.gov/web/section-508/making-files-accessible/checklist/pdf/index.html>*

*If this request was sent to the wrong department or agency, please let me know so that I can send to the correct place.*

*The requested documents will be made available to the general public, and this request is not being made for commercial purposes.*

*In the event that there are fees, I would be grateful if you would inform me of the total charges in advance of fulfilling my request. I would prefer the request filled electronically, by e-mail attachment if available or CD-ROM if not.*

*Thank you in advance for your anticipated cooperation in this matter. I look forward to receiving your response to this request within 15 business days, as the statute requires.*

**Seventh Judicial District Court's Response:**

It is the policy of the Seventh Judicial District Court to be fully responsive to requests for public records available under the Inspection of Public Records Act, NMSA 1978, § 14-2-1 et seq. ("IPRA"). The Inspection of Public Records Act provides the public with the right to access government records. Your request is not for a record. Instead it is a request for bulk data relating to warrants. The New Mexico IPRA does not impose a duty on state agencies to create records that do not already exist.

The Seventh Judicial District Court uses the Odyssey electronic case management system for docketing and case management purposes. The Odyssey system is not being utilized to capture and report the specific and discrete data you requested regarding search warrants. The Court does not maintain or run any reports that would routinely gather and produce the data you requested. The provisions of IPRA do not require a governmental body to create documents, lists, spreadsheets, statistics or other reports in order to respond to a records request. See NMSA 1978, § 14-2-8(B)(Nothing in the Inspection of Public Records Act shall be construed to require a public body to create a public record.)

The Seventh Judicial District Court does not have custody or control of arrest records or data. See Rule 5-211 NMRA, Search Warrants (Search warrants may only be executed by "a full-time salaried state or county law enforcement officer, a municipal police officer, a campus security officer, and Indian tribal or pueblo law enforcement officer, or a civil officer of the United States authorized to enforce or assist in enforcing any federal law."). Public records requests seeking law enforcement records, statistics and reports should be requested through the law enforcement agency that handled the criminal investigation.

It is advisable for you to request these records from the proper law enforcement agency that conducted the criminal investigation. Your inspection of public records request is now considered to be closed.

Sincerely,

A handwritten signature in blue ink, appearing to read "JASON E. JONES", is enclosed within a blue oval outline.

Jason E. Jones  
Court Executive Officer